



Southeast Fishery Bulletin

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Final Rule for Amendment 15 to the Fishery Management Plan for the Coastal Migratory Pelagic Resources of the Atlantic and Gulf of Mexico

Small Entity Compliance Guide

NOAA's National Marine Fisheries Service (NMFS) has published a final rule in the *Federal Register* implementing actions found in Amendment 15. The Gulf of Mexico and South Atlantic Fishery Management Councils (Councils) submitted Amendment 15 for review, approval, and implementation by the Secretary of Commerce. NMFS announced the availability of Amendment 15 in an earlier Southeast Fishery Bulletin (NR05-013) on March 4, 2005, and requested comments on the proposed rule (NR05-017) on March 17, 2005. Comments were accepted through May 6, 2005. NMFS approved Amendment 15 on May 26, 2005, and has now published the final rule giving effect to the actions in the amendment. The final rule becomes effective on August 8, 2005.

Amendment 15 contains two actions, which are briefly summarized below.

- Establishment of a limited access system for the commercial fishery for Gulf and Atlantic group king mackerel, and
- Change the fishing year for Atlantic migratory groups of king and Spanish mackerel to March 1 through February 28-29.

These changes are intended to provide social and economic stability in the mackerel fisheries.

SUPPLEMENTARY INFORMATION:

Limited Access System: A moratorium on the issuance of new commercial king mackerel vessel permits was established in 1998, and is in effect through October 15, 2005. The Councils' intent in establishing a moratorium was to later replace it with a more permanent limited access system. The existing restricted number of fishery participants, especially in the Gulf of Mexico, has demonstrated the capability of harvesting the allowable catch well in advance of the end of the fishing season.

Opening the fishery to new participants was expected to hasten closures in the various sub-zones. The Councils' action will maintain a permit cap on participation for an indefinite period of time, and provide for social and economic stability in the fishery.

Change in Atlantic Group Mackerel Fishing Year: The current fishing year for Atlantic groups of both king and Spanish mackerel extends from April 1 through March 31. Should the fisheries be closed in March, there could be adverse social and economic effects because of other commercial closures, such as those for red porgy, gag, and black grouper during that same month. By changing the opening date of the season to March 1, the Councils reduce the possibility of multiple commercial fishery closures, and provide economic and social benefits to the fishery.

This bulletin serves as a Small Entity Compliance Guide, complying with section 212 of the Small Business Regulatory Enforcement Fairness Act of 1996. Any discrepancies between this document and the rule as published in the *Federal Register* will be resolved in favor of the *Federal Register*.

NMFS is dedicated to protecting and preserving the nation's living marine resources and their habitats through scientific research, management, and enforcement. NMFS provides effective stewardship of these resources for the benefit of the nation, supporting coastal communities that depend upon them, and helping to provide safe and healthy seafood to consumers and recreational opportunities for the American public.

NOAA is dedicated to enhancing economic security and national safety through the prediction and research of weather and climate-related events and providing environmental stewardship of our nation's coastal and marine resources.